

MINUTES OF COUNCIL

A regular session of Troy City Council was held Monday, March 21, 2016, at 7:00 p.m. in Council Chambers.

Members Present: Heath, Oda, Schweser, Snee, Terwilliger, Tremblay and Twiss.

Upon motion of Mrs. Snee, seconded by Mrs. Oda, Mr. Kendall was excused from this meeting by unanimous roll call vote.

Upon motion of Mr. Schweser, seconded by Mr. Twiss, Mr. Phillips was excused from this meeting by unanimous roll call vote.

Presiding Officer:	Martha A. Baker,	President of Council
Others Present:	Michael L. Beamish,	Mayor
	Patrick E. J. Titterington,	Director of Public Service and Safety
	Grant D. Kerber,	Director of Law
	John E. Frigge,	Auditor

INVOCATION: The meeting began with an invocation given by Mrs. Snee, followed by the Pledge of Allegiance.

MINUTES: The Clerk gave a summary of the minutes of the March 7, 2016 meeting of Troy City Council. There were no corrections or additions to these minutes. A motion was made by Mr. Tremblay, seconded by Mr. Twiss, to approve these minutes. Motion passed by unanimous roll call vote.

COMMITTEE REPORTS

Community & Economic Development Committee: Mr. Twiss, Chairman, reported as follows:

1. Committee recommends that Ordinance No. O-8-2016 be approved, which is the rezoning of part of OL 436 – Parcel # D08-100722 from the dual zoning of M-2, Light Industrial District, and R-4, Single-Family Residential District to M-2, Light Industrial District, and Parcel #D08-100730 from the zoning of R-4, Single-Family Residential District, to M-2, Light Industrial District.
2. Committee recommends that Ordinance No. O-9-2016 be approved, which is the rezoning of the Huelskamp Farm, IL 10577, from County Zoning A-2, General Agriculture, & F-1, Flood Plain, to City zoning R-4, Single Family Residential District.
3. Committee recommends that Ordinance No. O-10-2016 be approved, which is the rezoning of two parcels adjacent to Treasure Island Park – rezoning of IL 10575 and IL 10576 from County zoning of F-1, Flood Plain, to the City zoning of B-1, Local Retail District.
4. Committee recommends that Ordinance No. O-11-2016 be approved, which amends sections of the Zoning Code and of the fence provisions to clarify that fences are accessory structures.

Reports signed by Schweser and Twiss.

Discussion. In response to Mrs. Oda's question if O-11-2016 would prevent the fencing of an empty lot, Mr. Titterington responded that it clarifies what the City has enforced. Except for an older vacant lot that has a fence around it, no other lots are so fenced. Mrs. Oda asked about a property owner having a double lot and fencing the empty lot, with Mr. Titterington responding that if the lots are combined with the house a principle structure, both lots can be fenced, but if the lots are not combined an empty lot cannot be fenced. Mrs. Oda commented how that would not work for a property owner if the owner wanted to later sell off the vacant lot.

Finance Committee: Mr. Schweser reported as follows:

1. Committee recommends that legislation be prepared authorizing the Director of Public Service and Safety to enter into a Marina Building Lease with the Community Improvement Corporation of Troy, Ohio. Committee noted that the Ohio Constitution provides for entities such as a CIC to assist in economic development efforts including the leasing of municipal properties. A CIC is able to lease properties, with lease agreements that meet all City requirements, but do so much more quickly and efficiently, and the City would be a party to any final lease with selected tenants. To ensure that the Marina Building is leased with a final tenant(s) as soon as possible, Committee supports emergency legislation.
2. Committee recommends that legislation be prepared accepting the recommendations of the Enterprise Zone Tax Incentive Review Council (EZ TIRC) that Enterprise Zone Agreements (28, 29, 33, 34, 35 and 36) be continued as they are in full compliance; that the requests for the withdrawal of Enterprise Zone agreements 25 and 31 be approved as such agreements are nearing the expiration dates; and that the Troy Towne Park TIF be continued. As the report of the EZ TIRC must be filed with the Ohio Development Services Agency by the end of March, Committee supports emergency legislation.

Reports signed by Schweser and Tremblay.

CITIZEN COMMENTS: Stephen J. Kalmar, 436 Miami Street, regarding O-11-2016, commented that he believes the change under 521.07 is proposed due to a mistake of staff in administering the sign code when definitions were combined to get to a preferred answer. He further commented that when this was reviewed by a Law Director, he understands staff was advised that a fence could be built anywhere. Mr. Kalmar suggested that provision be removed as he feels a property owner should be able to put a fence around any lot in Troy.

RESOLUTION NO. R-12-2016

RESOLUTION ACCEPTING THE RECOMMENDATIONS OF THE TAX INCENTIVE REVIEW COUNCIL AND DECLARING AN EMERGENCY

This Resolution was given first title reading.

Mr. Tremblay moved for suspension of rules requiring three readings. Motion seconded by Mr. Heath.

Yes: Tremblay, Heath, Twiss, Snee, Oda, Terwilliger and Schweser.

No: None.

Mr. Heath moved for adoption. Motion seconded by Mr. Twiss.

Yes: Heath, Twiss, Snee, Oda, Terwilliger, Schweser and Tremblay.

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-13-2016

RESOLUTION ACCEPTING THE RECOMMENDATIONS OF THE TAX INCENTIVE REVIEW COUNCIL FOR THE TROY TOWNE PARK TIF AND DECLARING AN EMERGENCY

This Resolution was given first title reading.

Mr. Tremblay moved for suspension of rules requiring three readings. Motion seconded by Mr. Schweser.

Yes: Twiss, Snee, Oda, Terwilliger, Schweser, Tremblay and Heath.

No: None.

Mr. Schweser moved for adoption. Motion seconded by Mr. Tremblay.

Yes: Snee, Oda, Terwilliger, Schweser, Tremblay, Heath and Twiss.

No: None.

RESOLUTION ADOPTED

ORDINANCE NO. O-8-2016

ORDINANCE CHANGING THE ZONING OF PART OF OUTLOT 436 (PARCEL DO8-100722 AND PARCEL DO8-100730) IN THE CITY OF TROY, OHIO FROM M-2, LIGHT INDUSTRIAL DISTRICT, AND R-4, SINGLE FAMILY RESIDENCE DISTRICT, TO THE ZONING OF M-2, LIGHT INDUSTRIAL DISTRICT

This Ordinance was given first title reading on February 16, 2016.

Given public hearing and second title reading on March 7, 2016.

Given third title reading.

Mr. Schweser moved for adoption. Motion seconded by Mr. Twiss.

Yes: Oda, Terwilliger, Schweser, Tremblay, Heath, Twiss and Snee.

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-9-2016

ORDINANCE CHANGING THE ZONING OF INLOT 10577 IN THE CITY OF TROY, OHIO FROM THE MIAMI COUNTY, OHIO ZONING OF A-2 AND F-1 TO THE CITY ZONING OF R-4, SINGLE FAMILY RESIDENTIAL DISTRICT

This Ordinance was given first title reading on February 16, 2016.

Given public hearing and second title reading on March 7, 2016.

Given third title reading.

Mr. Tremblay moved for adoption. Motion seconded by Mr. Schweser.

Yes: Terwilliger, Schweser, Tremblay, Heath, Twiss, Snee and Oda.

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-10-2016

ORDINANCE CHANGING THE ZONING OF INLOTS 10575 AND 10576 IN THE CITY OF TROY, OHIO FROM THE MIAMI COUNTY, OHIO ZONING OF F-1, FLOOD PLAIN, TO THE CITY ZONING OF B-1, LOCAL RETAIL DISTRICT

This Ordinance was given first title reading on February 16, 2016.
Given public hearing and second title reading on March 7, 2016.
Given third title reading.

Mr. Schweser moved for adoption. Motion seconded by Mr. Heath.
Yes: Schweser, Tremblay, Heath, Twiss, Snee, Oda and Terwilliger.
No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-11-2016

AN ORDINANCE AMENDING SECTION 521 OF THE CODIFIED ORDINANCES OF THE CITY OF TROY, OHIO AND SECTIONS 1133 AND 1151 OF THE ZONING CODE OF THE CITY OF TROY, OHIO RELATED TO FENCES

This Ordinance was given first title reading on February 16, 2016.
Given public hearing and second title reading on March 7, 2016.
Given third title reading.

Mr. Schweser moved for adoption. Motion seconded by Mr. Tremblay.
Yes: Tremblay, Heath, Twiss, Snee, Terwilliger and Schweser.
No: Oda.

ORDINANCE ADOPTED

ORDINANCE NO. O-16-2016

ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY TO ENTER INTO A LEASE WITH THE COMMUNITY IMPROVEMENT CORPORATION OF TROY, OHIO, REGARDING THE LEASE OF THE MARINA BUILDING AND DECLARING AN EMERGENCY

This Ordinance was given first title reading.

Mr. Tremblay moved for suspension of rules requiring three readings. Motion seconded by Mr. Schweser.
Yes: Heath, Twiss, Snee, Oda, Terwilliger, Schweser and Tremblay.
No: None.
Mr. Schweser moved for adoption. Motion seconded by Mr. Heath.
Yes: Twiss, Snee, Oda, Terwilliger, Schweser, Tremblay and Heath.
No: None.

ORDINANCE ADOPTED

COMMENTS OF THE DIRECTOR OF PUBLIC SERVICE AND SAFETY: Mr. Titterington commented that Miami County would be participating in a statewide tornado drill at 9:50 a.m. on March 23. Troy's sirens will be sounded as part of this drill.

EXECUTIVE SESSION: A motion was made by Mrs. Oda, seconded by Mrs. Snee, to recess into executive session for discussion of preparing for, conducting or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment.

Motion passed, unanimous roll call vote.

At 7:27 p.m. Council recessed into Executive session.

A motion was made by Mrs. Oda, seconded by Mrs. Snee, to return to regular session.

Motion passed by unanimous roll call vote.

At 7:47 p.m. Council returned to regular session and, there being no further business, adjourned.

